

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE

COMMONWEALTH OF VIRGINIA)	CASE NOS. CR03-3089, CR03-3090, CR03-3091
VERSUS)	
LEE BOYD MALVO a/k/a)	INDICTMENT - CAPITAL MURDER (2
John Lee Malvo)	Counts) and USING A FIREARM IN THE
		COMMISSION OF A FELONY

JURY TRIAL – Day 22

On December 16, 2003, Robert F. Horan, Jr., the Commonwealth's Attorney, Raymond Morrogh, the Deputy Commonwealth's Attorney, LEE BOYD MALVO a/k/a John Lee Malvo, the Defendant, and Michael Arif and Craig Cooley, co-counsel for the Defendant, appeared before this Court. The Defendant is indicted for the felonies of CAPITAL MURDER (2 Counts) and USING A FIREARM IN THE COMMISSION OF A FELONY and he appeared while in custody.

Counsel for the Defendant moved the Court to strike the evidence presented by the Commonwealth. The Court, after hearing argument, denied the Defendant's motion.

The jury received the instructions of the Court, heard closing arguments by the Commonwealth's Attorney and Counsel for the Defendant and was sent to deliberate.

The Court, being of the opinion that this case could not be completed today, admonished the jurors as to their behavior during the recess and continued this case to December 17, 2003, at 9:00 a.m.

The Defendant was remanded to the custody of the Sheriff.

Entered on December 16, 2003.

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JANE MARUM ROUSH
JUDGE DESIGNATE